

Individualized Education Program (IEP)

- Individualized Education Programs (IEPs) are focused on educational success meaning it's intended to provide an educational benefit to the student that prepares the student for further education, employment, and independent living.
- The IEP must consider the student's present levels of academic achievement, functional performance, and the impact of the student's disability on their involvement with and progress in the general education curriculum.
- It must identify individualized learning goals and specify the services, specialized instruction, aids and therapies for the student, along with the manner of measuring the student's progress.
- The IEP goals must be aligned with grade-level content standards.
- All services are provided to the student at no costs to the parents.
- The IEP must be reviewed at least every 12 months, or more frequently if needed.

Eligibility

To be eligible for services under IDEA, a student must have at least one of the 13 diagnoses or a related condition as specified in this law:

- Autism
- Hearing impairment
- Deafness
- Deaf-blind
- Intellectual disability
- Speech or language impairment
- Visual impairment or blindness
- Multiple disabilities (non-categorical delays)
- Orthopedic impairment
- Other health impairment
- Traumatic brain injury
- Serious emotional disturbance
- Specific learning disability



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IEP Evaluation

- An accurate, comprehensive, and individualized evaluation of the student is required to determine eligibility, along with the input of the IEP multi-disciplinary team to include the student and parents.
- Parents must provide informed, written consent for an evaluation of their child, and once given, the evaluation must be completed within 60 calendar days.
- This evaluation is usually more comprehensive than a Section 504 evaluation, because the student's needs are usually more complex.
- A re-evaluation of the student is required to take place at least once every three years but may not occur more than once a year unless the parent and the school agree otherwise.

IEP Team, Meetings & Process

- Membership of the IEP team is set out by law: parents, special education instructor, general education instructor, specialist who can interpret evaluation results, school representative with authority over special education services, and when appropriate the student.
- The IEP team meeting must be held within 30 calendar days of the eligibility decision.
- Parents must receive timely notice of any IEP team meeting.

Individuals with Disabilities in Education Act

All public schools that accept federal monies are subject to IDEA. Private schools that do not receive public funds, do not have the same obligations to provide education services and benefits to children with disabilities. Thus, students with disabilities who are placed in private schools by their parents are not entitled to the same services as students who are enrolled in a public school.

Additional Resources

- [North Dakota Department of Public Instruction: Parent Guide to Special Education](#)
- [North Dakota Department of Public Instruction: Special Education](#)
- [Office for Civil Rights: FAQs About Section 504 & Education of Children with Disabilities](#)